

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NATIONAL STARCH AND CHEMICAL  
INVESTMENT HOLDING  
CORPORATION, PENFORD  
AUSTRALIA LTD., and PENFORD  
HOLDINGS PTY,

Plaintiffs,

v.

CARGILL, INC. and  
MGP INGREDIENTS, INC.,

Defendants.

C.A. No. 04-1443-GMS

**DEFENDANTS' UNOPPOSED MOTION FOR ONE-DAY EXTENSION OF TIME**

Defendants Cargill, Inc. and MGP Ingredients, Inc. ("Defendants"), hereby move for a one day extension to allow the filing of their Reply Brief in Support of Motion for Leave to File First Amended Answers and Counterclaims on or before February 17, 2006. Defendants were served with Plaintiffs' opposition papers toward the end of last week, on February 9, 2006. Two of Defendant's counsel principally responsible for the preparation of Defendants' reply papers have been traveling out of the office during the latter part of last week and for a significant portion of this week to attend to depositions and other work related in this suit. Defendants, therefore, respectfully request a one day extension of time to allow proper preparation of Defendants' reply brief.

Counsel for Plaintiffs has been contacted and has authorized Defendants to represent that the motion is not objected to and will not be opposed.

Dated: February 15, 2006

FISH & RICHARDSON P.C.

By: /s/ Thomas L. Halkowski

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 15, 2006, I electronically filed with the Clerk of Court the attached **DEFENDANTS' UNOPPOSED MOTION FOR ONE-DAY EXTENSION OF TIME** using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel. In addition, the filing will also be sent via hand delivery:

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Investment Holding Corporation,  
Penford Australia Ltd., and Penford  
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I hereby certify that on February 15, 2006, I have mailed by United States Postal Service, the document(s) to the following non-registered participants:

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/s/ Thomas L. Halkowski  
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